

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

RICHARD E. O'DONNELL,)
)
Plaintiff,)
)
v.) No. 4:08CV363 TCM
)
)
ST. LOUIS COUNTY DEPARTMENT)
OF JUSTICE SERVICES, et al.,)
)
)
Defendants.)

OPINION, MEMORANDUM AND ORDER

Before the Court is plaintiff's motion to "revise and amend complaint appeal order," which the Court will liberally construe as a post-dismissal motion to amend his complaint.¹

Plaintiff has not attached a proposed amended complaint to his motion, nor has he articulated the exact ways he would seek to amend his pleading. Rather, his motion includes a reiteration of the same allegations contained in his original pleading, including the repeated argument that defendants Dooley (County Executive) and Mueller (Director, St. Louis County Justice Center"), should be held

¹Although plaintiff uses the term "appeal" in his motion for relief, he has not articulated in his motion a desire to appeal the Court's dismissal of his complaint. To the extent that plaintiff wishes to appeal the dismissal, he should file a separate notice of appeal in accordance with the Federal Rules of Appellate Procedure as outlined in the Court's May 1, 2008 correspondence to plaintiff.

accountable for any and all “wrongs” committed against him. As explained in the Court’s Opinion, Memorandum and Order, these administrators cannot be held liable just by virtue of being “in charge.” *See Boyd v. Knox*, 47 F.3d 966, 968 (8th Cir. 1995) (respondeat superior theory inapplicable in § 1983 suits). For these reasons, and for the reasons espoused in the Court’s Opinion, Memorandum and Order, the Court will deny plaintiff’s post-dismissal motion to amend his complaint.

Accordingly,

IT IS HEREBY ORDERED that plaintiff’s motion to “revise and amend complaint appeal order,” liberally construed as a post-dismissal motion to amend plaintiff’s complaint, is **DENIED**.

Dated this 7th day of May, 2008.



HENRY EDWARD AUTREY
UNITED STATES DISTRICT JUDGE